

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
CRIMINAL DOCKET NO. 5:12CR4-RLV**

UNITED STATES OF AMERICA                          )  
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  )  
  )  
vs.    )  
  )  
HUNTER GAITHER                                      )  
  )  
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**ORDER**

**THIS MATTER** is before the Court upon the Government's Motion Requesting Peremptory Setting for the above captioned matter filed on August 16, 2012. This matter is currently scheduled for trial during our September 10, 2012, trial term in the Statesville Division.

The Government's Motion represent the following:

1.     The Defendant was indicted on February 21, 2012, and charged with failure to register and update registration as required by the Sex Offender Registration and Notification Act.
2.     The Government expects to call witnesses from New York to testify at trial.
3.     The Government wants a date certain during the September 2012, trial term for scheduling purposes of the Government's witnesses.
4.     SAUSA, Erin Comerford, learned from defense attorney, Peter Adolf, that he is peremptorily scheduled to appear before Honorable Max O. Cogburn, Jr. on September 17, 2012, for jury selection and trial to begin September 24, 2012.

5. Defense attorney, prefers to have this matter scheduled for trial later in the week of September 10, 2012, or later in the week of September 17, 2012.
6. Erin Comerford's co-counsel, AUSA Kimlani Ford, is scheduled to participate in a conference from September 18 through September 20, 2012.
7. The Government anticipates a two to three day trial.

The Court anticipates at this time to have a busy trial term. Consequently, the need for efficiency in scheduling the term is of the upmost importance.

**IT IS, THEREFORE, ORDERED** that the trial in this matter will be the first trial during the Court's September 2012, trial term. Jury selection will be for September 11, 2012, beginning at 9:30 AM, in the Statesville Division. Further, if time permits, the parties in this matter are instructed to be prepared to begin the trial right after jury selection on September 11, 2012. Otherwise, the trial will begin on September 12, 2012 at 9:30 AM, in the Statesville Divison



Richard L. Voorhees  
United States District Judge



Signed: August 29, 2012